IN THE HIGH COURT OF UTTARANCHAL AT NAINITAL

Second Appeal NO. 1525 of 2001
(Old No. 159 of 1989)

Akhtar …Applicant

Versus

Jainuddin and others …Respondents

Sri B.B.Paul, Advocate for the applicant
Sri Awadhesh Tiwari, Advocate for the Respondent.

Hon'ble Rajesh Tandon, J.

Heard the l earned counsel for the parties.

Present second appeal arises out of Suit of 1968. It appears that the cause of action has already been extinguished. The appeal is dismissed. However liberty is given to the appellant to move a recalling application if the cause of action still survives.

(Rajesh Tandon J.)

Dated:26.08.2004

Ashok